

PCA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,513	11/21/2000	Bjom Markus Jakobsson	Jakobsson-37	2063
27550	7590	04/26/2004	EXAMINER	
WALTER J, TENCZA JR. 10 STATION PLACE, SUITE 3 METUCHEN, NJ 08840			PARTHASARATHY, PRAMILA	
			ART UNIT	PAPER NUMBER
			2136	2
DATE MAILED: 04/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/717,513

Applicant(s)

JAKOBSSON, BJORN MARKUS

Examiner

Pramila Parthasarathy

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the application filed on 11/21/2000.

Claims 1 – 25 were received for consideration. Preliminary amendments to the specification were filed. Claims 1 – 25 are currently being considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 3, 10, 11, 14 – 16, 19, 20 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Dreifus (U.S. Patent No. 4,575,621).

Regarding Claim 1, Dreifus teaches and describes a method comprising:

placing a first device in an enclosure (Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

placing a second device in the enclosure (Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

sealing the enclosure (Column 3 lines 18 – 25);

after sealing the enclosure, causing the first device to exchange a key with the second device (Column 3 lines 59 – 66 and Column 16 lines 30 – 44);

removing the first device and the second device from the enclosure after the key exchange (Fig. 8A #2); and

using the key to allow the first device and the second device to communicate with each other using methods of encryption outside the enclosure (Column 10 lines 43 – 57 and Column 18 lines 40 – 49).

Regarding Claim 14, Dreifus teaches and describes a method comprised of the steps of:

placing a first device into an enclosure (Fig. 8A and Column 16 lines 7 – 29);

connecting the first device to a transmitter, wherein the transmitter is connected to a first end of an cord device the first end of the cord device being inside the enclosure (Fig. 8B, 8C and Column 16 lines 46 – 58);

wherein the cord device has a second end which is outside the enclosure (Fig. 8B, 8C and Column 16 lines 46 – 58); and wherein

the method further is comprised of connecting a second device which lies outside the enclosure, to the second end of the cord device (Fig. 8B, 8C and Column 16 lines 46 – 58);

and after connecting the first device to the first end of the cord device and after connecting the second electronics device to the second end of the cord device, causing the first device to communicate with the second device (Column 3 lines 59 – 66 and Column 16 lines 30 – 44).

Regarding Claim 19, Dreifus teaches and describes an apparatus comprising:

means for causing a first device to exchange a key with a second device (Column 3 lines 59 – 66 and Column 16 lines 30 – 44);

means for preventing a third device from determining a key which is exchanged between the first device and the second device (Column 3 lines 18 – 34), and

wherein the means for preventing the third device from determining the key is comprised of an enclosure having a filtering material (Column 4 lines 11 – 17, Column 6 lines 48 – 62, Column 11 lines 20 – 27 and Column 17 lines 60 – 66).

Regarding Claim 25, Dreifus teaches and describes a method comprising:

placing a first device in an enclosure (Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

placing a second device in the enclosure (Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

sealing the enclosure (Column 3 lines 18 – 25);

after sealing the enclosure, causing the first device to exchange a key with the second device (Column 3 lines 59 – 66 and Column 16 lines 30 – 44);

removing the first device and the second device from the enclosure after the key exchange (Fig. 8A #2); and

using the key to allow the first device and the second device to communicate with each other using methods of authentication outside the enclosure (Column 10 lines 43 – 57 and Column 18 lines 40 – 49).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method comprising the step of:

using the key to allow the first device and the second device to communicate with each other using methods of authentication outside the enclosure (Column 43 – 57 and Column 18 lines 40 – 49).

Claim 15 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method wherein

the cord device is comprised of an electrical cord (Column 4 lines 55 – 64 and Column 6 lines 48 – 61).

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Dreifus teaches and describes a method wherein

the enclosure is adapted so that the first and second devices can be placed into the enclosure and the enclosure can be sealed (Column 16 lines 7 – 29 and Column 3 lines 18 – 25).

Claim 16 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method wherein

the cord device is comprised of an optical cable (Column 16 lines 45 – 58).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method wherein

the first device is electronic (Column 3 lines 16 – 25 and lines 59 – 67); and

the second device is electronic (Column 3 lines 16 – 25 and lines 59 – 67).

Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method wherein

the enclosure is comprised of a first and a second compartment (Column 16 lines 7 – 23);

wherein the first and second compartment are separated by a separation device (Column 16 lines 7 – 30); and

wherein the method further comprises placing the first device in the first compartment and the second device in the second compartment (Column 16 lines 13 – 21).

Claim 11 is rejected as applied above in rejecting claim 10. Furthermore, Dreifus teaches and describes a method wherein

the separation device when closed prevents the first device from communicating with the second device (Column 4 lines 29 – 38 and Column 16 lines 7 – 38);

and the separation device when opened allows the first device to communicate with the second device (Column 4 lines 29 – 38, Column 16 lines 7 – 38 and Column 18 lines 40 – 49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 18 and 21 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U S Patent 4,575,621 hereinafter “Dreifus”) in view of Madsen et al. (U S. Patent No. 6,181,284 hereinafter “Madsen”).

Regarding Claim 22, Dreifus teaches and describes a portable device (Fig. 8A). Dreifus does not explicitly disclose that the transmitter is a Bluetooth transmitter. However, Madsen discloses a portable devices and a wireless communication system wherein the transmitter is a Bluetooth transmitter (Madsen Column 8 lines 1 – 24).

a port for physically and electronically connecting the portable device to a first device (Dreifus Fig. 8A, and Column 16 lines 7 – 29);

wherein in a first mode the Bluetooth transmitter of the portable device locates a second device and communicates with the second device (Madsen Column 6 lines 42 – 51 and Column 8 lines 1 – 24);

and wherein in a second mode the port of the portable device is physically and electronically connected to a first device so that the portable device can communicate with the first device (Fig. 8A and Column 16 lines 7 – 29). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the Bluetooth transmitter as taught by Madsen to provide wireless communication system as taught by Madsen. The

motivation would have been to provide security for first and second device during key exchange with wireless communication for portable electronic devices.

Claim 18 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the transmitter is a Bluetooth transmitter. However, Madsen discloses a portable devices and a wireless communication system wherein the transmitter is a Bluetooth transmitter (Madsen Column 8 lines 1 – 24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the Bluetooth transmitter as taught by Madsen to provide wireless communication system as taught by Madsen. The motivation would have been to provide security for first and second device during key exchange with wireless communication for portable electronic devices.

Claim 21 is rejected as applied above in rejecting claim 19. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the first and second devices exchange the key in a wireless manner. However, Madsen discloses a

portable devices and a wireless communication system wherein the first and second devices exchange the key in a wireless manner (Madsen Column 8 lines 1 – 24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the wireless communication as taught by Madsen. The motivation would have been to provide security for first and second device during key exchange with wireless communication for portable electronic devices.

Claim 23 is rejected as applied above in rejecting claim 22. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the portable device is a PCMIA card which incorporates a Bluetooth transmitter; and the first device is a PCMIA port. However, Madsen discloses a portable devices and a wireless communication system wherein the portable device is a PCMIA card which incorporates a Bluetooth transmitter; (Madsen Column 8 lines 1 – 24), and

the first device is a PCMIA port (Madsen Column 6 lines 52 – 60).

Claim 24 is rejected as applied above in rejecting claim 23. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other (Column 3 lines 59 – 66 and Column 16 lines 30 – 44) wherein,

the portable device is in the shape of a floppy disc (Fig. 1 # 2), and
the first device is a disc drive which can be electrically connected to the portable device (Column 4 lines 55 – 64 and Column 6 lines 48 – 61). Dreifus does not explicitly disclose that the portable device incorporates a Bluetooth transmitter. However, Madsen discloses a portable devices and a wireless communication system wherein the portable device incorporates a Bluetooth transmitter; (Madsen Column 8 lines 1 – 24).

4. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U S Patent 4,575,621 hereinafter “Dreifus”) in view of Burge (U S. Patent No. 5,550,529 hereinafter “Burge”) and further in view of Pihl et al. (U.S. Patent No. 5,479,341 hereinafter “Pihl”)

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose the enclosure is a plastic bag coated with a filtering material. However, Burge discloses a security enclosure wherein the enclosure is a plastic bag (Burge Column 2 50 - 55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the enclosure to be a plastic bag to prevent

information leakage as taught by Burge. The motivation would have been to provide security during key exchange. Dreifus and Burge taken together do not teach the enclosure is a plastic bag with a filtering material. However, Pihl discloses a security apparatus with an enclosure with a filtering material (constructed of sheet metal) (Pihl Column 3 lines 49 – 62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus, to have the enclosure to be a plastic bag to prevent information leakage as taught by Burge and to have the enclosure with a filtering material to provide adequate protection against adverse external conditions as taught by Pihl. The motivation would have been to provide protection and security for first and second device during key exchange.

Claim 5 is rejected as applied above in rejecting claim 4. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the filtering material is comprised of metal. However, Pihl discloses a security apparatus wherein the filtering material is comprised of metal (constructed of sheet metal) (Pihl Column 3 lines 49 – 62).

5. Claims 6 – 9, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U S Patent 4,575,621 hereinafter “Dreifus”) in view of Pihl et al. (U.S. Patent No. 5,479,341 hereinafter “Pihl”)

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose the enclosure is a container having sides comprised of a filtering material. However, Pihl discloses a security apparatus with an enclosure with a filtering material (constructed of sheet metal) (Pihl Column 3 lines 49 – 62),

wherein the filtering material of the enclosure prevents electromagnetic radiation of a particular bandwidth from escaping the enclosure (Pihl Column 2 lines 37 – 50).

. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the enclosure with a filtering material to provide adequate protection against adverse external conditions as taught by Pihl. The motivation would have been to provide security for first and second device during key exchange.

Claim 7 is rejected as applied above in rejecting claim 6. Dreifus does not explicitly teach that the filtering material is comprised of metal. However, Pihl discloses

a security apparatus wherein the filtering material is comprised of metal (constructed of sheet metal) (Pihl Column 3 lines 49 – 62).

Claim 8 is rejected as applied above in rejecting claim 6. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the enclosure is comprised of glass and the filtering material is attached to the glass. However, Pihl discloses a security apparatus wherein the enclosure is comprised of strong material (glass) and the filtering material is attached to the glass (Pihl Column 2 lines 37 – 60 and Column 3 lines 49 – 57).

Claim 9 is rejected as applied above in rejecting claim 6. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the enclosure is comprised of plastic and the filtering material is attached to the glass. However, Pihl discloses a security apparatus wherein the enclosure is comprised of strong material (plastic) and the filtering material is attached to the plastic (Pihl Column 2 lines 37 – 60 and Column 3 lines 49 – 57).

Claim 12 is rejected as applied above in rejecting claim 11. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the separation device is comprised of a door which can be opened after the enclosure is sealed. However, Pihl discloses that the separation device is composed of a door which can be opened after the enclosure is sealed (Pihl Column 3 line 49 – Column 4 line 67).

Claim 13 is rejected as applied above in rejecting claim 12. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the separation device is comprised of a filtering material. However, Pihl discloses a security apparatus wherein the filtering material is comprised of filtering material (constructed of sheet metal) (Pihl Column 3 lines 49 – 62).

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U S Patent 4,575,621 hereinafter "Dreifus") in view of Brothers et al. (U.S. Patent No. 5,799,083 hereinafter "Brothers")

Claim 17 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and

receive information to and from each other in a sealed enclosure (Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the cord device is comprised of a radio transmitter. However, Brothers discloses a verification system transmitting information by number of means including radio (Brothers Column 9 lines 29 – 38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the radio transmitter as taught by Brothers.

Conclusion

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C.

20231 **or faxed to:** (703) 872-9306 for all formal communications.


Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 703-305-8912. The examiner can normally be reached on 8:00a.m. To 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Pramila Parthasarathy
Patent Examiner
703-305-8912
April 18, 2004


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100